

**SUMMARY REPORT DIGEST-
COMPLAINT REGISTER INVESTIGATION NO.:
CHICAGO POLICE DEPARTMENT**

273395

DATE OF REPORT (DAY-MO.-YEAR)

19 Sep 01

To be used in all cases that are to be classified as either EXONERATED, UNFOUNDED, NOT SUSTAINED or
In SUSTAINED cases where the Disciplinary Recommendation does not exceed FIVE (5) DAYS SUSPENSION.

SUBMIT ORIGINAL AND 3 COPIES IF ASSIGNED TO SAME UNIT AS ACCUSED.
SUBMIT ORIGINAL AND 4 COPIES IF NOT ASSIGNED TO SAME UNIT AS ACCUSED.

TO: SUPERINTENDENT OF POLICE

ATTENTION ☒ ADMINISTRATOR IN CHARGE, OFFICE OF PROFESSIONAL STANDARDS
☐ ASSISTANT DEPUTY SUPERINTENDENT, INTERNAL AFFAIRS DIVISION

FROM-INVESTIGATOR'S NAME JOHNSON, KEVIN				RANK SGT	STAR NO. 1734	SOCIAL SEC. NO. 2 - Unique identi...	EMPLOYEE NO. 2 - Unique ...	UNIT ASSIGN. 015
ADDRESS OF INCIDENT 4800/4900 BLOCK OF WEST IOWA				DATE OF INCIDENT - TIME 26 JUL 01-1420 HOURS		BEAT OF INCIDENT 1531		LOCATION CODE 1
ACCUSED	NAME 1. SEABERRY, ROBERT			RANK P/O	STAR NO. 3110	SOCIAL SEC. NO. 2 - Unique identi...	EMPLOYEE NO. 2 - Uniq...	UNIT ASSIGN. 015
	2. HUERTAS, CARLOS			P/O	19394	2 - Unique identi...	2 - Uniq...	015
	SEX/RACE 1. M/B	D.O.B. 1... JAN 53	DATE OF APPOINTMENT 31 MAY 94		DUTY STATUS (TIME OF INCIDENT) <input checked="" type="checkbox"/> ON DUTY <input type="checkbox"/> OFF DUTY		<input checked="" type="checkbox"/> SWORN <input type="checkbox"/> CIVILIAN	PHYS. COND. CODE 01
	2. M/H	1... SEP 74	27 JUL 98		<input checked="" type="checkbox"/> ON DUTY <input type="checkbox"/> OFF DUTY		<input checked="" type="checkbox"/> SWORN <input type="checkbox"/> CIVILIAN	01
	IF APPLICABLE - DATE ARRESTED/INDICTED 1.			CHARGES		COURT BRANCH	DISPOSITION & DATE	
	2.							
COMPLAINANTS	NAME 1 - Personal info			ADDRESS** 1 - Personal info		CITY STATE CHICAGO, IL	TELEPHONE 1 - Personal info	SEX/RACE M/B
								D.O.B./AGE 1... MAR 62
								PHYS. COND. CODE 01
VICTIMS	NAME 1 - Personal info			ADDRESS** 1 - Personal info		CITY STATE CHICAGO, IL	TELEPHONE 1 - Personal info	SEX/RACE F/B
								D.O.B./AGE 60 YOA
								PHYS. COND. CODE 01
WITNESSES	NAME SAME AS ABOVE			ADDRESS**		CITY STATE	TELEPHONE	SEX/RACE
								D.O.B./AGE

☐ SEE ATTACHED SHEET FOR ADDITIONAL ACCUSED, COMPLAINANTS, VICTIMS, WITNESSES.

IT IS ALLEGED THAT ON THURSDAY, 26 JUL 01 AT 1420 HOURS, TWO MALE BLACK CASUALLY DRESSED OFFICERS WERE VERBALLY ABUSIVE TO 1 - Personal info (VICTIM#1) IN THAT THE ACCUSED STATED, "GET THE FUCK ON BEFORE WE LOCK YOU UP" WITH OTHER PROFANITIES. THE COMPLAINANT ALLEGES THAT THE ACCUSED WERE IN AN UNMARKED VEHICLE WITH LICENCE PLATE "M-114752". THE COMPLAINANT ALLEGES THAT VICTIM#1 WAS ASKING THE ACCUSED OFFICERS THE REASON WHY THEY HAD 1 - Personal info

I.A.D. LOCATION CODES*

01 Food Sales/Restaurant
02 Tavern/Liquor Store
03 Other Business Establishment
04 Police Building
05 Lockup Facility
06 Police Maintenance Facility
07 CPD Automotive Pound Facility
08 Other Police Property
09 Police Communications System
10 Court Room

11 Public Transportation Veh./Facility
12 Park District Property
13 Airport
14 Public Property Other
15 Other Private Premise
16 Expressway/Interstate System
17 Public Way - Other
18 Waterway, Incl. Park District
19 Private Residence

I.A.D. PHYSICAL CONDITION CODES†

01 No Visible Injury - Apparently Normal
02 No Visible Injury - Under influence
03 Injured, Not Hospitalized
04 Injured, Not Hospitalized - Under Influence
05 Injured, Hospitalized
06 Injured, Hospitalized - Under Influence
07 Injured, Refused Medical Aid
08 Injured, Refused Medical Aid - Under Influence
09 Deceased
10 Deceased - Under Influence

** IF CPD MEMBER, LIST RANK, STAR, SOCIAL SECURITY, EMPLOYEE NOS. IN ADDRESS BOX, PAX/BELL IN TELEPHONE BOX.

Briefly summarize the investigation describing your efforts to prove or disprove the allegation(s). Indicate whether witnesses or evidence support or do not support the allegation(s). In sustained cases ONLY, copies of the accused member's Summary of Previous Disciplinary Actions and Record of Previous Disciplinary Actions and Record of Previous Complimentary History will be included as attachments.

I/Sgt was assigned the above listed Complaint Register number for investigation. I/Sgt made several attempts to contact the complainant, victim and witnesses in this matter in order to schedule personal interviews, I/Sgt obtained a copy of the 015th District Tactical Assignment Sheet for Team 1561 for 26 July 01, 2nd Watch, and which revealed that the accused members (P/O Seaberry & Huertas) were assigned to Beat 1561D, 2nd Watch with C.P.D. vehicle#3017 (IL license#M-114752; Attachments#2, 3 & 4).

The complainant alleges that during this incident, two male Black officers were the accused members. It should be noted that P/O Huertas is of Puerto Rican descent. Both of the accused members were served with Notification of Charges/Allegations, Administrative Proceedings Rights, and Waiver/Request For Counsel forms (Attachments#7 through 12). I/Sgt received written reports from both accused members-emphatically and categorically denying the allegations set forth by the complainant (Attachments#13 & 14).

I/Sgt located the complainant and before the interview could commence, I/Sgt was immediately advised by the complainant that he (the complainant) no longer wanted to pursue this matter against the accused officers. The complainant also advised I/Sgt that the witness and victim in this matter (complainant's 2 - Unique identifiers) also declined to pursue the allegations against the accused officers. I/Sgt obtained a signed letter of declination from the complainant. Based upon the reports, statements and interviews taken with respect to this Complaint Register investigation, I/Sgt concludes this investigation with the finding and recommendations listed below.

ATTACH- MENTS	INVESTIGATIVE REPORTS- SUPPORTING ALLEGATION LIST ATTACHMENT NUMBERS:	INVESTIGATIVE REPORTS- SUPPORTING ACCUSED MEMBER(S) LIST ATTACHMENT NUMBERS:	PHYSICAL EVIDENCE LIST ATTACHMENT NUMBERS:	TOTAL NUMBER OF ATTACHMENTS SUBMITTED WITH THIS FILE:
	1	13 & 14	4	16

Summarize the findings and recommendations. Rule violations will be cited by number only. One overall recommendation for Disciplinary Action will be made by the investigator. The recommendation will be for ALL sustained findings; recommendations will NOT be made for each sustained allegation. Example: 1. Violation noted, no disciplinary action warranted. 2. That the accused member be reprimanded. 3. That the accused member be suspended for days (not to exceed 5 days).

FINDINGS: The allegation against P/O Robert Seaberry#3110 is "UNFOUNDED"
The allegation against P/O Carlos Huertas#19394 is "UNFOUNDED"

RECOMMENDATIONS: No disciplinary action. Case to be filed.

REVIEWED BY: *PK*
DATE: *7/6/07*

DATE INITIATED (DATE COMPLAINT WAS RECEIVED FOR INVESTIGATION)	02 aug 01	DATE COMPLETED (DATE OF THIS REPORT)	19 Sep 01	ELAPSED TIME (TOTAL TIME EXPRESSED IN DAYS)	48 days
Investigator will initiate the Command Channel Review form by completing the Investigator's Section.			INVESTIGATOR'S SIGNATURE <i>[Signature]</i> 1 - Personal info		

EVIDENCE:

Attachments:

1. Complaint Against Department Member in CR#273395
2. Notification re: CR Investigation (P/O Robert Seaberry#3110; 015th District)
3. Notification re: CR Investigation (P/O Carlos Huertas#19493; 015th District)
4. Tactical Assignment Sheet for 26 July 01; 2nd Watch; 015th District
5. Letter Of Declination signed by Complainant (1 - Personal info)
6. Request For Extension of Time
7. Notification of Charges/Allegations Against Accused Member: P/O Robert Seaberry#3110, 015th District
8. Waiver/Request For Counsel re: P/O Seaberry
9. Administrative Rights re: P/O Seaberry
10. Notification of Charges/Allegations Against Accused Member: P/O Carlos Huertas#19394, 015th District
11. Waiver/Request For Counsel re: P/O Huertas
12. Administrative Rights re: P/O Huertas
13. Written Report of P/O Robert Seaberry#3110

015th District

CR#273395

EVIDENCE:

Attachments (contd.):

14. Written Report of P/O Carlos Huertas#19394

15. 1st Request For Extension Of Time

16. 2nd Request For Extension Of Time